

"Tablets Morphia Sulphate 1-8 gr."; "Tablets Strychnine Sulphate 1-40 gr."; "Tablets Codeine Sulphate $\frac{1}{4}$ gr."; "Tablets Heroin Hyd. 1-12 gr."; "Tablets Quinine Sulphate 2 Grain"; "Tablets * * * Morphia Sulphate $\frac{1}{2}$ gr.," and "Tablets Heroin Hydroch. 1-12 gr." The respective labels bore the further statements "Jopp Drug Co." (or "Jopp Drug Co. Inc.") "Buffalo, N. Y."

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that: The acetphenetidin tablets examined, labeled "5 gr.," averaged not more than 4.34 grains of acetphenetidin to each tablet; the three samples of heroin hydrochloride tablets examined, labeled "1-12 gr.," averaged 0.0542 grain, 0.0596 grain, and 0.0473 grain, respectively, of heroin hydrochloride to each tablet; the two samples of strychnine sulphate tablets examined, labeled "1-40 gr.," averaged not more than 0.0217 grain and 0.021 grain, respectively, of strychnine sulphate to each tablet; the two samples of morphine sulphate tablets examined, labeled "1-8 gr." and " $\frac{1}{2}$ gr.," respectively, averaged approximately 0.144 grain and 0.557 grain, respectively, of morphine sulphate to each tablet; the codeine sulphate tablets examined, labeled " $\frac{1}{4}$ gr.," averaged not more than 0.223 grain of codeine sulphate to each tablet; the quinine sulphate tablets examined, labeled "2 Grain," averaged not more than 1.6 grains of quinine sulphate to each tablet; the three samples of acetyl salicylic acid tablets examined, labeled "5 Grain," averaged not more than 3.95 grains, 3.274 grains, and 4 grains, respectively, of acetyl salicylic acid to each tablet.

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that each tablet was represented to contain the amount of the product declared on the label thereof, whereas the said tablets, with the exception of the alleged $\frac{1}{2}$ grain morphine sulphate tablets, contained less of the respective products than declared on the labels, and the alleged $\frac{1}{2}$ grain morphine sulphate tablets contained more morphine sulphate than declared on the label thereof.

On May 19, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$1,300.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13412. Adulteration of butter. U. S. v. 36 Cubes of Butter. Decree entered, adjudging product adulterated and ordering its release under bond. (F. & D. No. 19055. I. S. No. 12291-v. S. No. W-1538.)

On August 2, 1924, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 36 cubes of butter, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the L. J. Durrant Co., from Grace, Idaho, on or about July 16, 1924, and transported from the State of Idaho into the State of Utah, and charging adulteration in violation of the food and drugs act.

Adulteration of the article was alleged in the libel for the reason that water had been substituted in part for butterfat, so as to reduce and lower and injuriously affect the quality and strength of the said article, and in that it contained less than 80 per cent of butterfat.

On November 26, 1924, the product having been theretofore released under bond to the claimant, L. J. Durrant & Co., Provo, to be reprocessed under the supervision of this department, judgment of the court was entered, finding the product adulterated and ordering that it be released from the operation of the libel.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13413. Adulteration of canned sardines. U. S. v. 300 Cases, et al., of Sardines. Consent decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 19137, 19139, 19140, 19141, 19142, 19145, 19146, 19208, 19225. I. S. Nos. 19974-v, 22656-v, 22664-v. S. Nos. C-4523, C-4524, C-4550.)

On or about November 15, 17, and 28, and December 6, 1924, respectively, the United States attorney for the Southern District of Mississippi, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 2,450 cases of sardines, remaining in the original unbroken packages in various lots at Jackson, Yazoo City, Crystal Springs, Forest, and Hazlehurst, Miss., respectively, alleging that the article had been shipped by the Holmes Co., in

part from Robbinston, Me., and in part from Eastport, Me., in various consignments, namely, on or about July 15, August 26, and October 14, 1924, respectively, and transported from the State of Maine into the State of Mississippi, and charging adulteration in violation of the food and drugs act. The article was labeled in part, variously: (Can) "Holmes St. Croix Brand Always Reliable American Sardines In Cotton Seed Oil * * * Holmes Company * * * Robbinston, Maine"; "Holmes Company Maine Sardines 'ICO, Contents 3 $\frac{1}{4}$ Ozs. In Cottonseed Oil Robbinston Maine"; "Holmes St. Croix Brand * * * American Sardines * * * Packed At Robbinston, Maine, Guaranteed By Holmes Company."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On May 8, 1925, the Holmes Co., Robbinston, Me., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of good and sufficient bonds, in conformity with section 10 of the act, conditioned in part that the bad portion be separated out.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13414. Adulteration of butter. U. S. v. Jacob Fachinger (Lanesville Creamery Co.). Plea of guilty. Fine, \$100 and costs. (F. & D. No. 19230. I. S. No. 4225-v.)

On May 15, 1925, the grand jurors of the United States within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned in the District Court of the United States for said district an indictment against Jacob Fachinger, trading as the Lanesville Creamery Co., Lanesville, Ind., charging shipment by said defendant, in violation of the food and drugs act, in two consignments, namely, on June 4 and 5, 1923, respectively, from the State of Indiana into the State of Illinois, of quantities of butter which was adulterated.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that the average milk fat of 5 subdivisions was 78.18 per cent.

Adulteration of the article was charged in the indictment for the reason that a product deficient in milk fat, in that it contained less than 80 per cent by weight of milk fat, had been substituted for butter, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, which the said article purported to be.

On May 23, 1925, the defendant entered a plea of guilty to the indictment, and the court imposed a fine of \$100 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13415. Misbranding of butter. U. S. v. Ravenna Creamery Co. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 19262. I. S. No. 20657-v.)

On February 3, 1925, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ravenna Creamery Co., a corporation, Ravenna, Nebr., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 6, 1924, from the State of Nebraska into the State of Wyoming, of a quantity of butter which was misbranded. The article was labeled in part: "This Package Contains One Pound Net Weight Pasteurized Creamery Butter * * * Ravenna Creamery Co. Ravenna, Nebraska."

Examination by the Bureau of Chemistry of this department of 60 packages of the product showed that the average net weight of the packages examined was 15.72 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Pound Net Weight," borne on the packages containing the said article, was false and misleading, in that it represented that each of said packages contained 1 pound net weight of butter, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of said packages contained 1 pound net weight of butter, whereas each of said packages did not contain 1 pound net weight of butter but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and